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Group, Inc., CXO Media, Inc. and Steve Ragan

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

RIVER CITY MEDIA, LLC, a Wyoming  
limited liability company, MARK  
FERRIS, an individual, MATT FERRIS,  
an individual, and AMBER PAUL, an  
individual,

Plaintiffs,

vs.

No. 2:17-cv-105-SAB

DEFENDANT CXO MEDIA, INC.'S  
MOTION TO EXPEDITE HEARING ON  
PLAINTIFFS' AND DEFENDANT CXO  
MEDIA, INC.'S SUBMISSION TO  
PERSONAL JURISDICTION AND JOINT  
MOTION FOR COURT TO VACATE AS  
MOOT ORDER COMPELLING

CXO MEDIA, INC.'S, MOTION TO EXPEDITE  
HEARING ON PLAINTIFFS' AND DEFENDANT CXO  
MEDIA, INC.'S SUBMISSION TO PERSONAL  
JURISDICTION AND JOINT MOTION FOR COURT  
TO VACATE AS MOOT ORDER COMPELLING  
JURISDICTIONAL DISCOVERY FROM CXO MEDIA,  
INC.  
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KROMTECH ALLIANCE CORPORATION, a German corporation, CHRIS VICKERY, an individual, CXO MEDIA, INC., a Massachusetts corporation, INTERNATIONAL DATA GROUP, INC., a Massachusetts corporation, and STEVE RAGAN, an individual, and DOES 1-50,

Defendants.

JURISDICTIONAL DISCOVERY FROM CXO MEDIA, INC.

**Without Oral Argument**  
**Hearing Date: April 13, 2018**  
**Spokane, Washington**

Defendant CXO Media, Inc. ("CXO") files this Motion to Expedite Hearing ("Motion to Expedite") on *Plaintiffs' and Defendant CXO Media, Inc.'s Joint Notice of CXO Media, Inc.'s Submission to Personal Jurisdiction and Joint Motion for Court to Vacate as Moot Order Compelling Jurisdictional Discovery from CXO Media, Inc.* ("Joint Motion to Vacate as Moot") as follows:

CXO files this Motion to Expedite because the time to act on the Order on Motion to Compel (ECF No. 98) is five (5) days from today's date (*i.e.*, by April 11, 2018), and under the local rules a non-dispositive motion ordinarily must have a hearing that is "at least 30 days after the motion's filing." *See* LR 7.1(h)(2)(A). The jurisdictional discovery that is the subject of the Order on Motion to Compel is no longer needed since Plaintiffs and CXO have agreed, among other things, that CXO withdraw its challenge to personal jurisdiction in exchange for Plaintiffs not seeking jurisdictional discovery from

CXO MEDIA, INC.'S, MOTION TO EXPEDITE HEARING ON PLAINTIFFS' AND DEFENDANT CXO MEDIA, INC.'S SUBMISSION TO PERSONAL JURISDICTION AND JOINT MOTION FOR COURT TO VACATE AS MOOT ORDER COMPELLING JURISDICTIONAL DISCOVERY FROM CXO MEDIA, INC.  
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1 CXO or IDG and dropping IDG from the suit. Consequently, both Plaintiffs and CXO  
2 have jointly filed the Joint Motion to Vacate as Moot, which asks the Court to vacate the  
3 Order on Motion to Compel.  
4

5 This is the quintessential example of good cause for expedited consideration  
6 because otherwise the relief sought in the Joint Motion to Vacate as Moot will be lost by  
7 the time that it is heard. *Cf. James v. Townsley*, No. CV-11-050-EFS, 2011 WL 2559629,  
8 at \*1 & n.2 (E.D. Wash. June 28, 2011) (expediting consideration where determination  
9 had to be made in twenty-one days).  
10

11 CXO requests that the Court order that it will consider the Joint Motion to Vacate  
12 as Moot by April 10.  
13

14 Plaintiffs' counsel and Kromtech Alliance Corporation's counsel have no objection  
15 to the Joint Notice of CXO's Submission to Personal Jurisdiction and Joint Motion for  
16 Court to Vacate as Moot Order Compelling Jurisdictional Discovery from CXO; no  
17 objection to Plaintiffs' and IDG's Joint Motion to Dismiss IDG; and no objection to the  
18 Motion to Expedite.  
19

20 CXO's counsel attempted to confer with counsel for Chris Vickery and was unable  
21 to get a response from him before the filing of these motions.  
22

23 CXO MEDIA, INC.'S, MOTION TO EXPEDITE  
24 HEARING ON PLAINTIFFS' AND DEFENDANT CXO  
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**Conclusion and Prayer**

For the foregoing reasons, the Court should grant CXO's Motion to Expedite and order that consideration of the Joint Motion to Vacate as Moot take place on April 10, 2018.

Respectfully submitted this 6<sup>th</sup> day of April, 2018.

s/Kevin J. Curtis, WSBA No. 12085  
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1 I hereby certify that on April 6, 2018, I electronically filed the foregoing with the  
2 Clerk of the Court using the CM/ECF System which will send notification of such filing  
3 to the following:  
4

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